

NIH Labor-Management Partnership Council Meeting Minutes Tuesday, October 16, 2002

Attendees: Howard Hochman, Charles Palmer, Linda Tarlow, Tom Fitzpatrick, Carey Roberts, Rita Sweeney, Michael Showers, Richard Laubach, Ed Burns, Fred Walker, Philip Lenowitz, Michael Laven, Deborah Wilson, Jason Barr and Barry Kevin.

Facilitator: Fern Kaufman.

Old Business: Minutes of the September 17, 2002 meeting were reviewed and approved.

New Business

A-76 update: Mr. Tom Fitzpatrick, Director, Commercial Activities, Division of Management Support (DMS), OD, briefed the Council. His office is working with the Office of the Secretary to wrap-up last year's (FY02) and receive full credit. Getting to Green is expected. If we do achieve a Green status, the agency will be more likely to retain self-direction in implementing future plans. The competition plan for FY03, that covers 930 FTEs or 10% of the positions, is not yet finalized. Also, the Communication plan has not been implemented yet. That is coming soon. The focal point of the communication plan will be the website that is being established. The questions from the town hall meeting and NIH answers are listed on the website and once the inventory is approved that will be posted as well. The contract to support the A-76 process has been awarded to Warden Associates, who has a great deal of experience. They will be performing the "core" A-76 contract support, which include Consultation and Strategic Planning, Training, Data Management (including definitions) and Performance of cost comparisons and other A-76 techniques. The contract's statement of work is comprehensive enough to ensure it meets all FY03 and FY04 basic requirements. Mr. Laven asked whether the firefighting function is a FY02 or FY03/04 requirement; Mr. Fitzpatrick stated it falls under FY04. He also stated that the function is termed as "fire prevention" and that it encompasses more than just the firefighting function. The contractor will provide all necessary assistance to the Fire Dept. when preparing their bidding package - full spectrum support from beginning to end. Mr. Laubach asked when all the other targeted functions and workers will be informed that their function is being competed. Mr. Fitzpatrick said that when the plan is finalized it will be communicated it to all parties. Mr. Laubach asked how many NIH employees from the FY02 process actually went out the door. Mr. Fitzpatrick did not have an exact count, but a substantial portion were filled through the direct conversion of vacancies. Another union concern is that the union believes that there appears to be a shifting of functions; for example, the Locksmiths were recently moved from the Division of Public Safety to the Division of Engineering Services. Mr. Fitzpatrick stated that the "corporate policy" approach his team is implementing should ensure that will not happen, or will not have an impact, as we go forward. The topic of security came up, as the Locksmiths have a security aspect to their job of limiting access to dangerous substances and such, and the necessity of escorting non-employees in sensitive areas. Mr. Fitzpatrick discussed OMB's position that "security" is not an inherently governmental function under A-76.

The Occupational Safety and Health Program at NIH: Dr. Deborah Wilson, Chief, Occupational Safety and Health Branch (OSHB), Division of Safety, ORS. Handouts were provided. Dr. Wilson described the organizational structure and area of responsibilities of the Division of Safety and OSHB. Their primary mission is the creation and maintenance of a safe and healthful working environment at NIH and they support all intramural and extramural programs. OSHB operates many programs including Biological Safety, Ergonomics, Environmental Monitoring/Air Sampling, Hearing Conservation, Respiratory Protection, Lab Safety & Blood borne Pathogen Courses, Local Exhaust Ventilation (filter certification), Hazard Communication, Indoor Air Quality, Sanitation, and Integrated Pest Management. Progress is being made; over the last 11 years the injury/illness rate per 100 employees has declined from 11.5 in FY91 to 5.31 in FY01. The majority of injuries are ergonomic and most occur in the Division of Engineering Services and the Clinical Center. Her team continues to monitor work centers, participate in advisory groups and respond to customers to make the NIH the safest place possible to work.

Updating and Signing a new Partnership Agreement: Mr. Richard Laubach, AFGE – ORS. The Council is currently operating under an expired agreement. Mr. Laubach offered the suggestion that now is an appropriate time to take a look at writing a new agreement since many of the previous members no longer have a role or participate. All present agreed that it was a good idea. Mr. Laubach will provide an electronic version of the expired agreement to the Council Coordinator for distribution to all interested parties. At the next meeting proposals for revision will be discussed.

Discussion of Agenda/Questions for meeting with Dr. Zerhouni: Mr. Fred Walker, Acting Director, Office of Human Resources, OD. Mr. Walker discussed Dr. Zerhouni's interest in examining the value in his coming to a future partnership council meeting. Do the council members think it would be of value, and are there any specific issues that he could be prepared to address? If so, he would likely come to the December meeting at the earliest.

Mr. Laubach brought up the fact that he has requested a meeting with Dr. Zerhouni via email and has not received a timely response. He does not want anyone to think that if Dr. Zerhouni comes to the partnership council, he will be satisfying AFGE's request for a personal meeting. Mr. Laubach stated that he is aware that Dr. Zerhouni has met 2 of the 4 representatives from the Unions at NIH, but has not responded to AFGE. Mr. Laubach stated that if he does not receive a response in a timely manner, he intends to file an Unfair Labor Practice. Mr. Walker stated that a response would be forthcoming.

Everyone agreed that there would be value in Dr. Zerhouni meeting with the Partnership Council. One topic is the NIH strategic workforce plan. Mr. Ed Burns stated that the facilities here at NIH are experiencing significant growth, with the construction of the new clinical center and other projects, but that there has been no increase in staff to maintain the new facilities. A shrinking workforce, a growing maintenance requirement and A-76 are all having an impact on the workers. Mr. Walker noted that looking at the NIH Strategic Plan in relation to the NIH Strategic Workforce Plan would add context to the changes that are taking place. Additional topics offered for discussion with the Director were retention issues and ongoing pay disparities for the Police Officers. Mr. Walker said that it is likely the Director will come to a meeting in the near future, and he has the schedule of meetings for the next six months, but they have not made a scheduling decision yet. Once that decision is made everyone will be notified.

Miscellaneous Issues:

- Mr. Mike Laven, IAFF, requested that more time be allotted on future agendas for the A-76 update. Everyone agreed that 30 minutes should be allotted.
- Ms. Linda Tarlow, OD, asked if it would be acceptable to rotate the person taking the minutes of the meeting. Everyone agreed as long as the Coordinator remained assigned to one person for continuity purposes.